Reprinted
February 11, 2011

SENATE BILL No. 30

DIGEST OF SB 30 (Updated February 10, 2011 5:30 pm - DI 69)

Citations Affected: IC 21-17; IC 21-39.

Synopsis: Jurisdiction of university and college police. Provides that certain police officers employed by a public or private college or university may exercise the officers' police power in any part of Indiana if the board of trustees of the college or university: (1) adopts a resolution specifically describing the territorial jurisdiction of a police officer employed by the college or university; and (2) sends notice to the superintendent of state police and the sheriff (or in the case of a consolidated city, the chief of police) of the county in which the institution is primarily located. Requires a police officer employed by a college or university to meet the certain training requirements in order to exercise the officer's police powers. Requires a police officer employed by a college or university that exercises the officer's police powers outside of the county in which the institution is primarily located to notify the sheriff (or in a consolidated city, the chief of police) as soon as practicable.

Effective: July 1, 2011.

Head, Alting, Lanane, Arnold

January 5, 2011, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
February 8, 2011, amended, reported favorably — Do Pass.
February 10, 2011, read second time, amended, ordered engrossed.

C o p y

Reprinted
February 11, 2011

First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

C o p y

SENATE BILL No. 30

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 21-17-5-5, AS ADDED BY P.L.2-2007, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. ~~(a)~~ Except as provided in subsection (b), a police officer appointed under this chapter may exercise the powers granted under this chapter: ~~only~~

(1) upon any real property owned or occupied by the educational institution employing the police officer, including the streets passing through and adjacent to the educational institution; ~~(b) Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the educational institution's property is located, depending upon the jurisdiction involved.~~ **and**

(2) at any other location in Indiana, if the police officer:

(A) has successfully completed, at a board certified law enforcement academy or at a law enforcement training center described under IC 5-2-1-10.5 or IC 5-2-1-15.2, the

basic training requirements established by the law enforcement training board; and

(B) is engaged in the discharge of the police officer's official duties;

unless the educational institution employing the police officer restricts or limits the exercise of the powers granted under this chapter.

SECTION 2. IC 21-17-5-5, AS ADDED BY P.L.2-2007, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) **This section applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer.**

(b) ~~Except as provided in subsection (b),~~ A police officer appointed under this chapter may exercise the powers granted under this chapter ~~only~~ upon any real property owned or occupied by the educational institution employing the police officer, including the streets passing through and adjacent to the educational institution. **An institution may extend a police officer's territorial jurisdiction in accordance with subsection (c).**

(c) An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:

(1) the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and

(2) the board of trustees notifies the:

(A) superintendent of the state police department; and

(B) sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in subdivision (2)(A) and (2)(B) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(d) If a police officer appointed under this section exercises the officer's police powers outside the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable.

~~(b) Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the~~

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~~appropriate law enforcement agency where the educational institution's property is located, depending upon the jurisdiction involved.~~

SECTION 3. IC 21-39-4-6, AS ADDED BY P.L.2-2007, SECTION 280, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. **(a)** A police officer may exercise the powers granted under this chapter ~~only~~ **as follows:**

(1) A police officer may exercise the officer's powers upon real property owned or occupied by the state educational institution employing the police officer, including the streets passing through and adjacent to the state educational institution. ~~Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the property is located, depending upon the jurisdiction involved.~~

(2) This subdivision applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer. An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:

(A) the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and

(B) the board of trustees notifies the:

(i) superintendent of the state police department; and

(ii) sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in clause (B)(i) and (B)(ii) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(b) If a police officer appointed under this section exercises the officer's police powers outside the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable.

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 30, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 12.

Page 1, line 15, after "granted" insert "under this chapter: ~~only~~

(1) upon real property owned or occupied by the state educational institution employing the police officer, including the streets passing through and adjacent to the state educational institution; ~~Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the property is located, depending upon the jurisdiction involved.~~ **and**

(2) at any other location in Indiana, if the police officer:

(A) has successfully completed, at a board certified law enforcement academy or at a law enforcement training center described under section IC 5-2-1-10.5 or IC 5-2-1-15.2, the basic training requirements established by the law enforcement training board; and

(B) is engaged in the discharge of the police officer's official duties;

unless the educational institution employing the police officer restricts or limits the exercise of the powers granted under this chapter.".

Page 1, delete lines 16 through 17.

Delete page 2.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 30 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

C o p y

SENATE MOTION

Madam President: I move that Senate Bill 30 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 21-17-5-5, AS ADDED BY P.L.2-2007, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. ~~(a)~~ Except as provided in subsection (b), a police officer appointed under this chapter may exercise the powers granted under this chapter: ~~only~~

(1) upon any real property owned or occupied by the educational institution employing the police officer, including the streets passing through and adjacent to the educational institution; ~~(b) Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the educational institution's property is located, depending upon the jurisdiction involved.~~ **and**

(2) at any other location in Indiana, if the police officer:

(A) has successfully completed, at a board certified law enforcement academy or at a law enforcement training center described under IC 5-2-1-10.5 or IC 5-2-1-15.2, the basic training requirements established by the law enforcement training board; and

(B) is engaged in the discharge of the police officer's official duties;

unless the educational institution employing the police officer restricts or limits the exercise of the powers granted under this chapter.".

Page 1, line 15, delete "section".

Renumber all SECTIONS consecutively.

(Reference is to SB 30 as printed February 9, 2011.)

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C o p y

SENATE MOTION

Madam President: I move that Senate Bill 30 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph ind insert:

"SECTION 1. IC 21-17-5-5, AS ADDED BY P.L.2-2007, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) **This section applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer.**

(b) ~~Except as provided in subsection (b),~~ A police officer appointed under this chapter may exercise the powers granted under this chapter ~~only~~ upon any real property owned or occupied by the educational institution employing the police officer, including the streets passing through and adjacent to the educational institution. **An institution may extend a police officer's territorial jurisdiction in accordance with subsection (c).**

(c) An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:

(1) the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and

(2) the board of trustees notifies the:

(A) superintendent of the state police department; and

(B) sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in subdivision (2)(A) and (2)(B) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(d) If a police officer appointed under this section exercises the officer's police powers outside the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable.

~~(b) Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the educational institution's property is located, depending upon the jurisdiction involved.~~".

C o p y

Page 1, line 3, after "6." insert "**(a)**".

Page 1, line 4, after "chapter" delete ":" and insert "**as follows:**".

Page 1, line 5, after "(1)" insert "**A police officer may exercise the officer's powers**".

Page 1, line 7, delete "institution;" and insert "institution.".

Page 1, line 11, delete "and".

Page 1, delete lines 12 through 17, begin a new line block indented and insert:

"**(2) This subdivision applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer. An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:**

(A) the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and

(B) the board of trustees notifies the:

(i) superintendent of the state police department; and

(ii) sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in clause (B)(i) and (B)(ii) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(b) If a police officer appointed under this section exercises the officer's police powers outside the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable.".

Delete page 2.

Renumber all SECTIONS consecutively.

(Reference is to SB 30 as printed February 9, 2011.)

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